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09/739,503	12/19/2000	G. George Reeves	P-2986.003	3128

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EXAMINER

JONES, SCOTT E

ART UNIT

PAPER NUMBER

3713

DATE MAILED: 04/17/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/739,503

Applicant(s)

REEVES, G. GEORGE

Examiner

Scott E. Jones

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-92 is/are pending in the application.
- 4a) Of the above claim(s) 52-80 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-51 and 81-92 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 23 January 2002 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. This office action is in response to the amendment filed on January 23, 2002 in which applicant amends the specification, corrects drawings, amends claims 1-2, 4-7, 9, 16, 20-21, 24-26, 28-29, 32, 34, 41-42, 45-46, adds new claims 85-92, and responds to the claim rejections.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-20, 24-41, 45-51, and 81-92 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reeves in view of Fisher.

Reeves (U.S. 5,740,077) discloses a golf round data system including a portable data collection unit adapted to be carried by the user for displaying information to the user and for recording data concerning the golf round. Reeves discloses what is claimed in claims 4, 9-10, 12-19, 29-30, 33-40, 48-49, and 84.

Although Reeves discloses a display showing golf information to a user, it does not seem to explicitly disclose a device that dynamically generates a graphical view of a selected portion of the golf course based on the user's current location; and having a view showing at least one of the golf course features as recited in claim 1.

However, Fisher (U.S. 5,507,485), like Reeves discloses a golf computer device that records a golfer's score, statistical data, and other data relating to a golf game. Fisher additionally shows:

Regarding Claims 1, 7, 8, 32, 86, 87, 88, 89 and 91:

- dynamically generate a graphical view of a selected portion of the golf course based on the user's current location (Figs. 4a-4c, 5, 21, 23, Column 1, lines 6-19, Column 3, lines 39-45, 55-60, Column 4, lines 10-15, Column 10, lines 54-62, and Column 12, lines 8-9);
- a graphic display to display the graphical view of the selected portion of the golf course, the graphical view including at least one of the golf course features (Figs. 4a-4c, 5, 21, 23, Column 1, lines 6-19, Column 3, lines 39-45, 55-60, Column 4, lines 10-15, Column 10, lines 54-62, and Column 12, lines 8-9).

Regarding Claims 2 and 26:

- the course data is transferred to the data collection unit via a wireless communication link (Column 6, lines 10-14, Column 7, lines 5-13).

Regarding Claims 3, 27, 32, 45, 46, and 85:

- the wireless communication link is a cellular telephone data channel (Column 5, line 52-Column 6, line 14, Column 7, lines 5-13).

Regarding Claims 5 and 25:

- the course data is transferred to the collection unit from a file accessible via the Internet (Column 9, lines 42-44).

Regarding Claim 6:

- the course data is transferred to the data collection unit by installing removable memory media to the data collection unit (Column 6, lines 10-14).

Regarding Claims 11, 31, 51, and 92:

- the graphic display is adapted to show a user's position on a green, the cup in said green, and a representation of forces on a ball on said green along a line between said user position and said cup (Fig. 4c).

Regarding Claims 20 and 41:

- the microprocessor is further adapted for voice recognition of at least one selected word (Fig. 5 (39), and Column 6, lines 46-62).

Regarding Claims 28, 50, and 90:

- the graphic display is adapted to indicate the region on the course within which the ball will probably rest following the user's next stroke taking into consideration a club selected by a user and the predetermined skill level (Abstract, Fig. 5, 23, and Column 11, lines 5-15).

Regarding Claim 47:

- the stroke data is transferred from the cellular radiotelephone to a data file accessible via the Internet (Column 5, line 52-Column 6, line 14, Column 7, lines 5-13).

Regarding Claim 48:

- the same limitations indicated in Claim 29 except that the portable golf round data system is a cellular radiotelephone that communicates on a cellular network

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(Column 5, line 52-Column 6, line 14, Column 7, lines 5-13, Column 9, lines 42-44).

Regarding Claim 49:

- the same limitations indicated in Claim 30 except that the portable golf round data system is a cellular radiotelephone that communicates on a cellular network (Column 5, line 52-Column 6, line 14, Column 7, lines 5-13, Column 9, lines 42-44).

Regarding Claim 81:

- the data processor is external to the cellular radiotelephone and the data processor is operatively connected to the cellular radiotelephone through wireless data transfer (Column 6, lines 10-14).

Regarding Claim 82:

- at least a portion of the data storage is external to the cellular radiotelephone (Column 6, lines 10-14).

Regarding Claim 83:

- the display is a proportional graphical map (Figs. 4a-4c).

It would have been obvious to one having ordinary skill in the art, at the time of the applicant's invention, to incorporate the enhancements of the interactive golf game information system of Fisher in the golf round data system of Reeves. Doing so enables a golfer to access golf analysis, statistics, predictions, advice and golf course data utilizing a graphics display enhancing the player's golfing experience.

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4. Claims 21-23, and 42-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reeves in view of Fisher as applied to claims 1-20, 24-41, 45-51, and 81-92 above, and further in view of Lobsenz.

Reeves in view of Fisher discloses that as discussed above with regards to Claims 1-20, 24-41, 45-51, and 81-92. Reeves in view of Fisher seems to meet all of the applicant's claimed subject matter with the possible exception of:

Regarding Claims 21 and 42:

- the stroke register includes a microprocessor adapted to receive and recognize telemetry signals emitted by telemetry equipped golf clubs.

Regarding Claims 22 and 43:

- the telemetry signals include sounds emitted by a telemetry-equipped club when a stroke is taken with said club.

Regarding Claims 23 and 44:

- the telemetry signals include radio signals emitted by a telemetry-equipped club when a stroke is taken with said club.

Lobsenz (U.S. 6,030,109) teaches of a golf scoring system in which one or more sensors are positioned in close proximity to the location where a golf club strikes a golf ball in connection with a golf shot. Lobsenz teaches:

Regarding Claims 21 and 42:

- the stroke register includes a microprocessor adapted to receive and recognize telemetry signals emitted by telemetry equipped golf clubs (Abstract, Figure 1,

and Column 2, line 28-Column 3, line 21, and Column 3, line 53-Column 4, line 21).

Regarding Claims 22 and 43:

- the telemetry signals include sounds emitted by a telemetry-equipped club when a stroke is taken with said club (Abstract, Figure 1, and Column 2, line 28-Column 3, line 21, and Column 3, line 53-Column 4, line 21).

Regarding Claims 23 and 44:

- the telemetry signals include radio signals emitted by a telemetry-equipped club when a stroke is taken with said club (Abstract, Figure 1, and Column 2, line 28-Column 3, line 21, and Column 3, line 53-Column 4, line 21).

It would have been obvious to one having ordinary skill in the art, at the time of the applicant's invention, to incorporate the golf scoring system of Lobsenz in the golf round information system of Reeves in view of Fisher. Doing so enables the golf scoring system of Reeves in view of Fisher to automatically count the numbers and types of strokes taken by a player during the course of a round of golf and for processing, displaying, and transmitting information based upon such count either in real time or after play has concluded.

Response to Arguments

5. Applicant's arguments with respect to claims 1-51, and 81-84 which are rejected under 35 U.S.C. § 102 and § 103 over Reeves and Germain and Lobsenz have been considered but are moot in view of the new ground(s) of rejection.
6. The substitute drawings for Figs. 4a and 4b are accepted and entered into the file.
7. The objection to the abstract under 37 C.F.R. § 1.72 (b) is withdrawn.

8. Applicant overcomes the rejections to claims 1-31, and 45 under 35 U.S.C. 112, second paragraph with the amendment.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Germain '548, '346 Barber '537, Fraker et al. '789, Bianco et al. '088, Remedio et al. '677, Born et al. '679, Moriarty et al. '991, Wilens '566, Smith '917, Cornell '210, McEwan et al. '922, Fisher '485, Daver '854, Imasaka et al. '566, Johnson et al. '880, Miller '108, Lyon et al. '312, Bonito et al. '430, Chartrand '550, McGeary et al. '526, Colley '733, Morrison et al. '312, Hanley, Jr. '029, Bonito et al. '044, Narita '191, Kelson et al. '333, Lee '592, Kikuchi '973, Walker '549, *Cohodas et al. '199, and Robinson '579* disclose methods, systems, and equipment to aid golfers in a round of golf.
- Karmel '541, Murphy et al. '362, and Baron, Sr. et al. disclose wireless systems that provide position, club selection, and weather information to golfers.
- Eisele et al. '459 discloses a smart diskette device adaptable to receive electronic medium.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott E. Jones whose telephone number is (703) 308-7133. The examiner can normally be reached on Monday - Friday, 8:30 A.M. - 5:30 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Martin-Wallace can be reached on (703) 308-4119. The fax phone

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numbers for the organization where this application or proceeding is assigned are (703) 872-9302 for regular communications and (703) 872-9303 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1148.

Scott E. Jones
Examiner
Art Unit 3713

SEJ
sej
April 10, 2002

V. Martin-Wallace
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